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OFFICE OF PETITIONS

In re Patent No. 6,722,571	:	
Lavrut et al.	:	
Issue Date: April 20, 2004	:	DECISION ON PETITION
Application No. 10/069,341	:	
Filed: June 7, 2002	:	
Atty Docket No.: 09669/022001	:	

This is a decision on the REQUEST FOR PATENT TERM ADJUSTMENT PURSUANT TO CFR § 1.705(d) filed May 13, 2004. Patentees request that the patent term adjustment be changed to reflect 106 days of patent term adjustment.

The request for reconsideration of the patent term adjustment indicated in the patent is GRANTED.

The patent term adjustment indicated in the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of one hundred six (106) days.

On April 20, 2004, the above-identified application issued as U.S. Patent No. 6,722,571, with a revised patent term adjustment of thirty (30) days. Patentees timely filed the instant request within thirty days of the issue date. Patentees dispute the reduction of seventy-six (76) days associated in PAIR with the processing of drawings. Patentees contend that no correspondence or submissions were submitted between the receipt of the notice of allowance and the payment of the issue fee.

Patentees arguments are well-taken. A review of the application history confirms that no paper was filed after the mailing of the notice of allowance. Specifically, as stated by patentees, the drawings filed February 22, 2002 were accepted. The notice of allowability did not include a request for formal drawings and no such drawings (or other paper pursuant to 37 C.F.R. § 1.312) were filed after the mailing of the notice of allowance.

In view thereof, the patent should have issued with a revised Patent Term Adjustment of one hundred six (106) days.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify this error. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by ONE HUNDRED SIX (106) days.

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Telephone inquiries specific to this matter should be directed to Nancy Johnson, Senior Petitions Attorney, at (571) 272-3219.

Karin A. Ferriter
for

Karin Ferriter
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction